

RES#14-____
NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES
Township Hall: 4422 Maplegrove NE, Louisville, OH 44641

FEBRUARY 27, 2014

On Thursday, February 27, 2014, the Board of Trustees of Nimishillen Township met in regular session at 7:00 PM at the Nimishillen Township Hall located at 4422 Maplegrove NE with the following members present: Trustee President Lisa R. Shafer, Trustee Lou J. Johnson and Fiscal Officer Brian Kandel. Vice President Michael L. Lynch was absent.

NOTE: All reports & attachments are available at the township office located at 4915 N. Nickelplate at a cost of 10¢ per page. Copies of meeting CD's are available for \$1.00 per CD.

7:00 PM: Trustee Shafer called the meeting to order and led the staff and audience in the Pledge of Allegiance. Trustee Lynch was then excused from tonight's meeting due to illness.

EXECUTIVE SESSION:

TRUSTEE JOHNSON MOTIONED TO ENTER INTO EXECUTIVE SESSION @ 7:03 P.M. FROM THIS REGULAR MEETING AS AUTHORIZED UNDER ORC 121.22(G)(3) PENDING OR IMMINENT LITIGATION WITH STARK COUNTY PROSECUTOR, JERRY YOST, TO DISCUSS PENDING OR IMMINENT COURT ACTION SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-046**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

TRUSTEE JOHNSON MOTIONED TO RETURN FROM EXECUTIVE SESSION AT 8:03 P.M. AND RESUME THIS REGULAR MEETING SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-047**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer – YES

Upon return from executive session, TRUSTEE JOHNSON MOTIONED TO AUTHORIZE STARK COUNTY PROSECUTOR, JERRY YOST, TO CONTINUE WITH THE BWC CASE AND ENTER INTO A SETTLEMENT SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-048**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

FIRE DEPARTMENT: (Rich Peterson, Chief)

Resolution – Approve Renewal of Dispatching Contracts for 2014:

TRUSTEE JOHNSON MOTIONED TO APPROVE RENEWAL OF THE FOLLOWING DISPATCHING CONTRACTS FOR 2014 SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED.**

❖ Sandy Township Fire Department	\$ 235.16 per month	RES#14-049
❖ Greentown Fire Department	\$2,059.83 per month	RES#14-050
❖ Marlboro Township Fire Department	\$ 932.16 per month	RES#14-051
❖ East Sparta Fire Department	\$ 416.50 per month	RES#14-052
❖ North Lawrence Fire Department	\$1,629.16 per month	RES#14-053
❖ Atwater Township Fire Department	\$ 784.83 per month	RES#14-054
❖ Hartville Volunteer Fire Department, Inc.	\$3,196.00 per month	RES#14-055
❖ Quad Ambulance District	\$1,697.16 per month	RES#14-056
❖ Tri Division Ambulance District	\$2,127.83 per month	RES#14-057

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

ROAD DEPARTMENT: (Jamie May, Interim Superintendent)

Resolution – Purchase pipe at Marlboro Supply one day sale: TRUSTEE JOHNSON MOTIONED TO APPROVE PURCHASING PIPE FOR TOWNSHIP ROAD RIGHT OF WAYS, CROSSOVERS, DRAINAGE, ETC. UP TO \$7,000 AT MARLBORO SUPPLY'S ONE-DAY SALE ON FRIDAY, MARCH 14TH SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-058**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

Resolution – Approve Road Report: TRUSTEE JOHNSON MOTIONED TO APPROVE THE ROAD REPORT FOR FEBRUARY 27, 2014 AS WRITTEN SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-059**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

ZONING DEPARTMENT: (Dale Riggerbach, Inspector)

Workshop March 12th: Dale reported he will be attending the 'Improving SWP3 Review Workshop' on March 12th in Richfield, OH.

Snow parking ban / Residents pushing snow back in roadways: Dale wanted to remind residents when snowfall reaches two inches, the snow parking ban will automatically be in effect for all township streets. Cars need to be removed from roadways so the road crew can do their job. Several letters have been sent to residents regarding this. Cars not moved out of the roadway will be reported to the Sheriff. The township is also asking residents not to push snow back in the road. By pushing snow back onto the road, the road crew cannot do their job efficiently.

Resolution – Approve revised Stark Soil & Water MOU five-year contract: Dale Riggerbach explained SS&W provides pre & post construction BMP (Best Management Practices) inspections such as construction site run-off, establish site inspection procedures that meet or exceed the Ohio EPA NPDES Construction General Permit as well as enforce any violations found. They also assist with the yearly EPA Report due April 1st of each year.

TRUSTEE JOHNSON MOTIONED TO APPROVE THE REVISED STARK SOIL & WATER CONSERVATION DISTRICT 'MEMORANDUM OF UNDERSTANDING (MOU) TECHNICAL ASSISTANCE' CONTRACT AT A TOTAL COST OF \$1,000 EFFECTIVE FEBRUARY 27, 2014 THROUGH FEBRUARY 27, 2019 SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-060**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

Resolution – Approve January 2014 Zoning Report for Stk. Co. Auditor: TRUSTEE JOHNSON MOTIONED TO APPROVE THE JANUARY 2014 ZONING REPORT FOR THE STARK COUNTY AUDITOR SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-061**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

Resolution – Approve Zoning Report: TRUSTEE JOHNSON MOTIONED TO APPROVE THE ZONING REPORT FOR FEBRUARY 27, 2014 AS WRITTEN SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-062**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer – YES

FISCAL OFFICER: (Brian Kandel)

Mr. Kandel did not have anything to report at tonight's meeting.

CONCERNS OF CITIZENS:

James Renie of 7425 Brookside – Parcel #33-99024 said he has 3 acres of land off Brookside. In 1963, he built a brick duplex at the south end of this plot. Five years later, he built his home at the north end of this plot. Around 1980, the rules changed stating he had to have a cul-de-sac between lots but he can't split them so now he has two building on one property and he wants a lot split so he can sell each one separately. Mr. Renie said he's going before Regional Planning Monday, March 3, 2014 at 1:30 p.m. to present his case. Mr. Renie asked the trustees to back him on this project.

Joshua Renicker, P.E., MS with Hammontree & Associates showed a drawing stating 50' frontage is required for each building and the road has to be extended onto Mr. Renie's property to get the required frontage. Several options were discussed when they met with Trustee Mike Lynch, Dale and the township road superintendent. He is asking for a letter of support from the Board of Trustees to be presented at the meeting on March 3rd at Stark County Regional Planning Subdivision Review Subcommittee.

LOU JOHNSON MOTIONED TOWNSHIP SECRETARY, SHAUB SHAUB, DRAFT A LETTER OF SUPPORT TO REGIONAL PLANNING IN FAVOR OF THE UPDATE PROVIDED BY HAMMONTREE FOR MR. RENIE SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-063**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

TRUSTEES: (Lisa Shafer, Mike Lynch, Lou Johnson)

Mandatory 2014 District Advisory Council Meeting: After discussion, Trustee Johnson agreed to attend the 2014 District Advisory Council Meeting Thursday, March 6th @ 7:00 p.m.@ the Stark County Health Department.

Road Dept. Seasonal Help: Trustee Shafer reported the road department winter seasonal help ends the end of March this year. Seasonal help is needed for spring, summer and early fall; therefore, the township will be advertising for these positions soon.

TRUSTEE JOHNSON MOTIONED TO ADVERTISE FOR ROAD DEPARTMENT SEASONAL HELP FOR LIMITED TERM EMPLOYMENT FROM APRIL 1, 2014 THROUGH OCTOBER 31, 2014 ON AN AS-NEEDED BASIS SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-064**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

Resolution – Approve January 23, 2014 Minutes: TRUSTEE JOHNSON MOTIONED TO APPROVE THE MINUTES FOR JANUARY 23, 2014 AS WRITTEN SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-065**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

Resolution – Approve all Purchase Orders, Financial Report and Pay Bills: TRUSTEE JOHNSON MOTIONED TO APPROVE ALL PURCHASE ORDERS, FINANCIAL REPORT AND PAY BILLS IN THE AMOUNT OF \$101,826.75 SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-066**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer – YES

Resolution – Sign checks and adjourn: TRUSTEE JOHNSON MOTIONED TO SIGN CHECKS AND ADJOURN AT 8:30 P.M. SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#14-067**

Roll call voting: Mr. Johnson – YES; Mrs. Shafer - YES

ATTEST: Brian Kandel, Fiscal Officer

Lisa R. Shafer, President

ABSENT
Michael L. Lynch, Vice President

Lou J. Johnson, Trustee
Nimishillen Township Board of Trustees

/sls